



MEMORANDUM

DATE: April 13, 2006
TO: Planning Board
FROM: Preston Mitchell, Senior Planner for
Valarie Stewart, chair, Legislative Committee A
SUBJECT: Z-04-06: Agner

The Board's Legislative Committee A convened their meeting this morning at the Rowan Regional cafeteria to discuss the Agner rezoning petition. On April 11th, the Board voted (7-3) to send this item to committee to further discuss the request in light of the US-70 Corridor Study.

The US-70 Corridor Study was conducted in 2001 in anticipation of the NCDOT widening of Statesville Boulevard (US-70). It was strongly believed that there would be significant land use pattern shifts and multiple rezonings associated with widening the roadway from 2 lanes to a 5-lane cross section. This study recognized the importance of grouping heavier retail commercial activities at the major intersections while lessening the intensity between those intersections. Office / institution, light commercial, and multi-family uses are suggested by the study in those internal linkages. The study went on to support elements of the Vision 2020 Comprehensive Plan by calling for property consolidation and minimization of curb cuts – elements of more comprehensively-planned commercial, office, and multi-family development.

The committee questioned whether the subject property was still within the commercial node of Majolica Road or within the internal link. Mr. Manning strongly believed that property 1,000 feet east of Majolica Road fell outside of the node. He went on to express concern for those homes that are within a cul-de-sac directly behind the subject site. He believes that the B-1 (office / institution) district is more appropriate for the location along US-70 and for the proximity to those rear homes. However, several other members compared this case to the Neely rezoning case (Z-01-06) on Julian Road. Since there is no adopted plan for the corridor, is it fair to prevent this owner from rezoning her property to a district that is light commercial and compatible with other surrounding commercial zoning? The immediate response to that question was a desire to prevent shotgun scattered rezonings along an important corridor in transition. It was stressed that a plan must be in place soon before the corridor reaches a "point of no return".

Ultimately, the committee moved and seconded a motion to recommend approval of the rezoning petition. That motion passed (4-1) and will be forwarded to the Planning Board's next meeting of April 25, 2006 as a recommendation. A second motion was made by Diane Young, and seconded by Mark Beymer, to "immediately commence with a Small Area [Corridor] Study for this area." It was clarified that the previous US-70 study could possibly be resurrected but that a study, new or old, needs to be underway immediately. That second motion passed (5-0).